

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CHS/COMMUNITY HEALTH
SYSTEMS, INC.; TRIAD
HEALTHCARE CORPORATION; and
QUORUM HEALTH RESOURCES,
LLC,

Plaintiffs/Counter-Defendants
and

UNITED TORT CLAIMANTS,
Plaintiff Intervenor

v.

LEXINGTON INSURANCE
COMPANY,

Defendant/Counter-Plaintiff
and

IRONSHORE SPECIALTY
INSURANCE COMPANY
Defendant.

No. 3-11-0449

Consolidated with Case No. 3-12-0248

ORDER

Counsel for the parties called the Court on July 24, 2012, to address discovery disputes raised by plaintiffs' counsel. In the midst of discussions about responses served by defendant Lexington Insurance Company to the plaintiffs' written discovery, the following question was raised: If Nautilus Insurance Company pays \$6,000,000.00 on behalf of QHR, will defendant Lexington agree that a \$6,000,000.00 SIR (self-insured retention) limit has been satisfied?

If defendant Lexington is willing to enter into such a stipulation, as worded above or as otherwise worded and agreed to by the parties, such an agreement could obviate the need for much, if not all, of the discovery the plaintiff sought and the need for filing and briefing the anticipated cross motions on "shared limits," to be filed by September 28, 2012, in accord with May 14, 2012 (Docket Entry No. 70).

Counsel for the parties shall convene a telephone conference call with the Court on **Thursday, July 26, 2012, at 11:00 a.m., central time**,¹ to address whether defendant Lexington is willing to enter into such a stipulation and, if so, what discovery disputes remain relating to Lexington's responses to the plaintiff's written discovery and, if not, to address the remaining disputes relating to such discovery.

It is so ORDERED.



JULIET GRIFFIN
United States Magistrate Judge

¹ A call-in number has been provided to the Court.